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## UNITED STATES DISTRICT COURT

## DISTRICT OF ARIZONA

UNITED STATES OF AMERICA

## ORDER OF DETENTION PENDING TRIAL

Alejandro Bermudez-Nunez	Case Number:	08-7097m
In accordance with the Bail Reform Act, 18 U.S Defendant was present and was represented by and order the detention of the defendant pendi	counsel. I conclude by a preponderan	
Cod by a second description of the social area that	FINDINGS OF FACT	
find by a preponderance of the evidence that:		
The defendant is not a citizen of	of the United States or lawfully admitte	ed for permanent residence.
The defendant, at the time of the state o	ne charged offense, was in the United	States illegally.
		the Bureau of Immigration and Customs d the defendant has previously been deported
The defendant has no signification	int contacts in the United States or in	the District of Arizona.
The defendant has no resource to assure his/her future appear		she might make a bond reasonably calculated
The defendant has a prior crim	inal history.	
The defendant lives/works in M	lexico.	
The defendant is an amnesty substantial family ties to Mexic		s in Arizona or in the United States and has
There is a record of prior failure	e to appear in court as ordered.	
The defendant attempted to ev	rade law enforcement contact by fleei	ng from law enforcement.
The defendant is facing a max	imum of years imprison	ment.
The Court incorporates by reference the		ces Agency which were reviewed by the Court

**CONCLUSIONS OF LAW** 

- There is a serious risk that the defendant will flee.
- No condition or combination of conditions will reasonably assure the appearance of the defendant as required. **DIRECTIONS REGARDING DETENTION**

The defendant is committed to the custody of the Attorney General or his/her designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

APPEALS AND THIRD PARTY RELEASE

IT IS ORDERED that should an appeal of this detention order be filed with the District Court, it is counsel's responsibility to deliver a copy of the motion for review/reconsideration to Pretrial Services at least one day prior to the hearing set before the District Court.

IT IS FURTHER ORDERED that if a release to a third party is to be considered, it is counsel's responsibility to notify Pretrial Services sufficiently in advance of the hearing before the District Court to allow Pretrial Services an opportunity to interview and investigate the potential third party custodian.

DATED this 12th day of March, 2008.

Edward C

United States Magistrate Judge